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LEGISLATIVE TESTIMONY

HCR208

STRONGLY URGING THE UNITED STATES DEPARTMENT OF THE INTERIOR AND THE UNITED STATES CONGRESS TO PROVIDE ADDITIONAL FEDERAL AID TO AND REIMBURSE THE STATE OF HAWAII FOR EXPENSES RELATING TO HEALTH CARE ASSISTANCE SERVICES PROVIDED TO MIGRANTS UNDER THE COMPACT OF FREE ASSOCIATION.

House Committee on Human Services

March 19, 2015

8:45 A.M.

Capitol Room 329

Aloha Mai Kākou e Committee Chair Morikawa, Vice Chair Kobayashi, and Honorable Members of the House Committee on Human Services,

HealthyPacific.Org **SUPPORTS WITH AMENDMENTS HCR208**, which seeks greater federal healthcare funding for our community members present under the Compacts of Free Association (COFA). HealthyPacific.Org believes that with amendments, this resolution can recognize the important and largely unsung contributions of our COFA community members to both our state, as well as the nation as a whole; mitigate racial stereotypes that have insidiously permeated our islands' social fabric; and demonstrate that justice, equality, and socioeconomic policy all counsel the restoration of access to federal funds for the health of our COFA residents and taxpayers.

HealthyPacific.Org recognizes that restoring federal funding for indigent COFA residents' healthcare needs will benefit the state as a whole, and may mitigate the clear racial prejudices that have already impacted the health and well-being of some of our hardest working community members. However, the justification for restoring such access does not solely reside in the recently reluctant benevolence of the State, as suggested by this resolution. **Rather, we believe that a much stronger case for restoring health justice for our COFA community can be made based on additional considerations of the historic and ongoing socioeconomic contributions of our diasporic COFA community, including the following:**

1. The U.S., as former trustee, holds ongoing responsibilities to its former Trust Territories now known as the Freely Associated States (FAS)—

responsibilities that have gone unfulfilled for sixty years. Rather than ensure the socioeconomic stability and independence of the FAS, otherwise known as the COFA nations, the United States has instead exploited their trust in ways far beyond its 67 atmospheric nuclear tests in the Marshall Islands, and testing of radiogenic impacts on their people. This includes the failure to ensure meaningful agricultural, educational, and health infrastructure necessary for socioeconomic and political independence; the continued occupation and use of their lands, waters, and children for our military interests; and the still-unaddressed health needs of islanders affected by both the legacies of nuclear testing, as well as a fostered dependency on Western-introduced foods and lifestyles; among other ongoing breaches of our trust obligations.

Restoring federal healthcare funding for those COFA residents who exercise their right to reside and pay taxes in the United States is a small step towards correcting the U.S.' failed responsibilities towards the FAS and their citizens.

2. Notwithstanding the U.S.' failure to uphold its trustee obligations, the FAS and their citizens continue to contribute significantly to our national security, and the security of the Pacific. As part of the COFA agreements, the United States has exclusive military jurisdiction over nearly 2 million square miles of Pacific Ocean, a critical piece of our national security infrastructure. The U.S. military also continues to use FAS atolls for key strategic military purposes, such as for military outposts, and as practice targets for our National Missile Defense Program's intercontinental ballistic missile defense system. The sons and daughters of the FAS also represent a higher per-capita U.S. military enlistment rate than any other U.S. jurisdiction, and sacrifice their lives at disproportionately higher rates than even U.S. citizens, on behalf of our country. **Ensuring that the beneficiaries of the COFA agreements have equal access to healthcare safety nets in the United States is key to maintaining the goodwill and positive relationships that are critical to the safety of our state, and of the nation.**

3. COFA citizens who choose to reside in the United States contribute significantly to our economic infrastructure, and their taxes and government fees generate revenues for the very programs, such as Medicaid, that they are denied access to. As the history of both Hawai'i and the nation demonstrate, the unskilled labor of immigrants has always been the foundation of growth and development in our capitalist economic system. Today, wherever they are found, our U.S. residents present under the COFA agreements contribute significantly to this essential labor base, while their children and others are also already contributing to our skilled workforce as educators, police officers, doctors, and even lawyers, among other professions. Meanwhile, the taxes and government fees paid by our COFA residents – the same taxes and fees paid by U.S. citizens and other residents – fund government programs, such as Medicaid, that they and their family members are categorically unable to access. **Fairness dictates that we restore meaningful equal access to services provided by federal programs, such as Medicaid, for those who fund**

these programs through their taxes and fees, and who are essential building blocks of our local economies; in addition, equal access to healthcare safety nets may be critical to allowing these families and communities to fully develop their potential to contribute to society, without the life-altering expenses of arbitrary medical emergencies and tragedies.

4. The people of the COFA nations have much to teach us about the common heritage of the Pacific, and of humankind. From the awe-inspiring and mysterious Nan Madol of Pohnpei, the “Venice of the Pacific”; to the pristine and abundant reefs and offshore waters of Palau, an emerging world leader in ocean conservation and management; to Pius “Papa Mau” Piailug’s revitalization of timeless ocean navigating knowledge, now leading a world-wide journey for global sustainability; to headline-grabbing international climate change advocacy by government leaders and youth whose very homes are on the front line of the fight for our climate; the peoples of the COFA nations have and continue to demonstrate to us not only the past and present potential in our Pacific island heritage, but the importance of remembering to take responsibility for our common heritage as a global community. **Ensuring that our COFA residents have equal access to healthcare safety nets as they lawfully reside and seek opportunity in the United States is a small but significant way to reflect the lessons they have and continue to teach us about ourselves and the world that we share.**

HealthyPacific.Org believes that this resolution may be amended to reflect these additional and much more persuasive arguments for the restoration of federal healthcare funding for our COFA community members, as a matter of justice, fairness, and sound national policy. In addition, including these additional considerations may better ensure that this resolution does not fuel stereotypes based on myopic or misinformed views of the newest immigrant group to our islands’ shores. **We believe that the attached resolution would make these important points clear, and respectfully urge the Committee to incorporate it as an amended HCR208 HD1.**

Accordingly, HealthyPacific.Org recommends that the Committee to **PASS WITH AMENDMENTS** HCR208, and help Hawai‘i make a strong statement about justice and equality for these U.S. resident workers, taxpayers, students, and members of our island community.

Thank you very much for the opportunity to testify on this measure.

H.C.R. NO. 208

HD1

HOUSE CONCURRENT RESOLUTION

STRONGLY URGING THE UNITED STATES DEPARTMENT OF THE INTERIOR AND THE UNITED STATES CONGRESS TO RESTORE FEDERAL HEALTHCARE FUNDING FOR U.S. RESIDENTS PRESENT UNDER THE COMPACTS OF FREE ASSOCIATION, IN RECOGNITION OF THEIR UNIQUE HISTORIC AND ONGOING SACRIFICES AND CONTRIBUTIONS TO THE UNITED STATES OF AMERICA AND TO THE WORLD

1 WHEREAS, the Freely Associated States of Palau, the
2 Republic of the Marshall Islands, and the Federated States of
3 Micronesia are comprised of a multitude of islands, languages,
4 and cultures throughout the Micronesian region of the Pacific
5 Ocean; and
6

7 WHEREAS, the Freely Associated States were former Trust
8 Territories of the United States, and, as sovereign nations,
9 continue to place their trust in the United States through the
10 Compacts of Free Association; and
11

12 WHEREAS, the Compacts of Free Association between the
13 Freely Associated States and the United States of America
14 recognize the historic sacrifices and contributions of the
15 citizens of the Freely Associated States to the interests of the
16 United States, including the use of their islands and atolls for
17 67 nuclear tests from 1946 to 1958, the subjecting of
18 Marshallese people to human radiation experiments without their
19 knowledge or their consent, and the United States military's
20 occupation of their islands and waters to ensure United States
21 control of the Pacific; and
22

23 WHEREAS, under the Compacts of Free Association, the United
24 States continues to exercise exclusive military jurisdiction
25 over the lands and waters of the Freely Associated States, and
26 continues to use their sovereign territories for military

1 weapons testing, including the use of their atolls as part of
2 the U.S. National Missile Defense Program's long-range
3 intercontinental ballistic missile defense system; and

4 WHEREAS, decades of United States administration has failed
5 to establish economic independence within the Freely Associated
6 States, leading to a lack of adequate agricultural, educational,
7 and health infrastructure necessary for a self-sufficient
8 society; and
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10 WHEREAS, in addition to these contributions and sacrifices,
11 the sons and daughters of the Freely Associated States continue
12 to lay down their lives in the interests of the United States,
13 representing some of the highest per-capita military recruitment
14 levels to the United States military compared to any other
15 jurisdiction, including each of the fifty states of the United
16 States of America; and
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18 WHEREAS, United States residents present under the Compacts
19 of Free Association invariably contribute substantially to their
20 communities and local economies, through both skilled and
21 unskilled labor, and by paying all taxes and fees applicable to
22 any other citizen and resident of the United States;
23

24 WHEREAS, the achievements and contributions of the people
25 of the Freely Associated States have and continue to greatly
26 inform our nation's understanding of the common heritage of
27 Pacific Islanders, and of humankind, including but not limited
28 to the awe-inspiring world wonder of Pohnpei's Nan Madol, the
29 "Venice of the Pacific"; the ocean conservation and management
30 leadership of Palau, which continues to boast teeming and
31 abundant reefs and waters despite decades of modernization; the
32 traditional ocean navigation techniques kept alive and
33 rejuvenated by the late Pius "Papa Mau" Piailug, which are now
34 leading a world wide voyage for global sustainability by the
35 canoes Hōkūle'a and Hikianalia; and the internationally-
36 recognized advocacy of government leaders and youth alike, for
37 nuclear disarmament and awareness of climate change's global
38 impacts;
39

40 WHEREAS, despite the limited right to travel, reside, work,
41 seek educational opportunity, and seek medical treatment in the
42 United States, citizens of the Freely Associated States who find
43 themselves in the United States continue to encounter
44 substantial and varied forms of discrimination, including
45 cultural, economic, linguistic, and social barriers; and
46

1 WHEREAS, despite the rights to reside and seek economic
2 opportunity in the United States granted to citizens of the
3 Freely Associated States, the federal Personal Responsibility
4 and Work Opportunity Reconciliation Act of 1996 removed United
5 States residents present under the Compacts of Free Association
6 from their previous eligibility for numerous federal benefits,
7 including Medicaid, which their taxes continue to fund, and
8 which all other citizens and most resident legal immigrants
9 enjoy; and

10
11 WHEREAS, to mitigate the widespread economic, public
12 health, societal, and moral impacts of categorically denying
13 healthcare safety nets to indigent community members, Hawai'i has
14 until March 1, 2015 continued to provide funding for these
15 residents' equal access to the state-administered Medicaid
16 program, known as Med-QUEST; and

17
18 WHEREAS, citing fiscal concerns, the State of Hawai'i has
19 discontinued Med-QUEST eligibility for most indigent Compact of
20 Free Association residents, requiring that they instead enroll
21 in a health insurance plan through the Hawai'i Healthcare
22 Connector; and

23
24 WHEREAS, notwithstanding limited state and federal premium
25 subsidies, the relatively high cost of maintaining such health
26 insurance plans, including cost sharing and co-pay requirements,
27 will likely make healthcare coverage unaffordable to the most
28 indigent members of our community, potentially resulting in
29 significant and long-term detrimental impacts to our local
30 social fabric, public health, and healthcare infrastructure, and
31 to our nation's ongoing relationships with the Freely Associated
32 States; and

33
34 WHEREAS, justice, fairness, human decency, and sound
35 national policy counsel the equal access to federal healthcare
36 safety net funding for all U.S. residents and taxpayers present
37 under the Compacts of Fre Association; now, therefore,

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39 BE IT RESOLVED by the House of Representatives of the
40 Twenty-eighth Legislature of the State of Hawai'i, Regular
41 Session of 2015, the Senate concurring, that the United States
42 Department of Interior and the United States Congress is
43 strongly urged to work to restore Medicaid eligibility or other
44 federal healthcare funding for U.S. residents and taxpayers
45 present under the Compacts of Free Association, through
46 amendments to the Personal Responsibility and Work Opportunity
47 Reconciliation Act or by other means; and

1
2 BE IT FURTHER RESOLVED that the Office of Insular Affairs
3 of the United States Department of the Interior is strongly
4 urged to review the funding of the Compact Impact Assistance
5 grant and to make every effort to increase the amount of direct
6 assistance available to the State of Hawai'i to enable greater
7 state support of our indigent Compact of Free Association
8 residents' healthcare needs; and
9

10 BE IT FURTHER RESOLVED that certified copies of this
11 Concurrent Resolution be transmitted to the President of the
12 United States, the Majority Leader of the United States Senate,
13 the Speaker of the United States House of Representatives, the
14 members of Hawai'i's congressional delegation, the United States
15 Secretary of the Interior, the Director of the Office of Insular
16 Affairs, the Commander, United States Pacific Command, the
17 Director of Human Services, the Director of Health, and the
18 Chief Justice of the Hawai'i Supreme Court.



HPCA

HAWAII PRIMARY CARE ASSOCIATION

LATE

House Committee on Human Services
The Hon. Dee Morikawa, Chair
The Hon. Bertrand Kobayashi, Vice Chair

Testimony on HCR 208
Submitted by Nani Medeiros, Public Affairs and Policy Director
March 19, 2015, 8:45 am, Room 329

The Hawai'i Primary Care Association, which represents community health centers in Hawai'i, strongly supports HCR 208, urging the United State Department of the Interior to provide further federal aid for expenses related to health care assistance to migrants under the Compact of Free Association.

Under the Compacts of Free Association (COFA), individuals from the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau are granted legal migrant status in Hawaii. However, due to recent changes they are no longer eligible to receive Medicaid benefits and must instead enroll in the state health insurance exchange. Under the exchange, they are viewed as living at 100% of the federal poverty level (FPL), regardless of actual income, and made to cover any existing lapses in insurance premium, copayment amounts, or deductibles. In Hawaii there are approximately 7,500 COFA migrants, many of whom live well below 100% FPL and will be unable to cover these additional costs.

This bill is of special import to the HPCA because a large majority of COFA migrants receive primary care from community health centers. Many of these patients tend to have co-occurring chronic and communicable diseases as well as linguistic and cultural barriers to care. Any additional burdens imposed upon this population, such as further financial expense, will only serve to jeopardize their ability to access care when needed.

It is the concern of the HPCA that without additional aid, (1) the mortality and morbidity rates of the COFA population will rise, (2) emergency department care for this population will rise, or (3) the amount of uncompensated care provided at community health centers will grow to a burdensome level, in many cases threatening the sustainability of providing quality care.

For these reasons, we strongly support HCR 208 and thank you for the opportunity to testify.



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION
AFSCME Local 152, AFL-CIO

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The Twenty-Eighth Legislature, State of Hawaii
Hawaii State House of Representatives
Committee on Human Services

LATE

Testimony by
Hawaii Government Employees Association
March 19, 2015

H.C.R. 208 - STRONGLY URGING
THE UNITED STATES DEPARTMENT OF INTERIOR
AND THE UNITED STATES CONGRESS TO
PROVIDE ADDITIONAL FEDERAL AID TO AND
REIMBURSE THE STATE OF HAWAII FOR
EXPENSES RELATED TO HEALTH CARE
ASSISTANCE SERVICES PROVIDED TO MIGRANTS
UNDER THE COMPACT OF FREE ASSOCIATION

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO supports the purpose and intent of H.C.R. 208. This concurrent resolution urges the United States Congress and the federal Department of the Interior to provide additional federal aid to and reimburse the State of Hawaii for health care assistance expenses rendered to migrants from the Compact of Free Association (COFA) nations. Many COFA migrants come to Hawaii with serious medical conditions.

When the compacts were executed, Congress realized there might be a significant effect on the states where COFA citizens migrated. It was the intent of Congress that these compacts would not have detrimental consequences on the states and localities where they settled. Unfortunately, the State of Hawaii has reported increasing costs each year for services provided to COFA migrants. Enactment of federal legislation in 1996 prevents migrants from COFA nations from receiving federally funded medical assistance.

Nevertheless, the State of Hawaii continues to provide medical assistance to COFA migrants. During the 2012-13 fiscal year, the Hawaii State Department of Human Services spent \$47.6 million on citizens from COFA nations. The economic and social impact of state benefits paid to COFA migrants is very significant to Hawaii.

The federal government must address the issue of additional federal financial support for the State to continue providing health care assistance to COFA migrants. Considering our limited resources, it is particularly important that the federal government provide additional federal aid to offset these costs of direct assistance incurred by the State of Hawaii.

We appreciate the opportunity to speak in support of H.C.R. 208.

Respectfully submitted,

Randy Perreira
Executive Director

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